

# Chapter 8

## RS - SINGLE-FAMILY RESIDENTIAL DISTRICT/ZONE

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### **10-8-1: DESCRIPTION AND PURPOSE**

The RS Single-Family Residential District is intended for low density, urban single-family residential and compatible uses. A stable and healthful environment, together with the full range of urban services, makes this an important land use district within the community.

### **10-8-2: BUILDINGS AND USES PERMITTED CONDITIONALLY**

The Planning and Zoning Commission may grant a conditional use permit for any of the conditional uses listed for the RS District as set forth in § 10-3-2, "Schedule Of District/Zone Land Use Controls" of this title, in accordance with the procedures set forth in chapter 25 of this title.

**10-8-2.A: Two-Unit Single-Family Attached Zero Lot Line Dwellings:** Shall comply with the following requirements:

**10-8-2.A.1:** Deeds or covenants pertaining to buildings shall contain appropriate provisions regarding harmonious maintenance of individually or commonly owned indoor or outdoor walls and outdoor yard areas.

**10-8-2.A.2:** Maintenance or encroachment easements shall be recorded as necessary for individual owners to assure access to all privately owned yard areas and outdoor walls.

**10-8-2.A.3:** Overall lot areas, lot width, and yard/setback requirements for two-dwelling unit style structures shall be the same as for single dwelling unit structures excepting one standard. Side setbacks (minimum side yards) shall be required to be five feet (5') on either side of a two-dwelling unit structure, or the width of a prescriptive easement, whichever is greater, regardless of whether an alley abuts the property whereupon a two-unit dwelling is proposed to be emplaced.

### **10-8-3: BUILDING HEIGHT REGULATIONS**

No principal building shall exceed two and one-half (2 1/2) stories or thirty feet (30') in height (measured from grade to the ceiling of the top floor of the structure).

### **10-8-4: DETACHED ACCESSORY STRUCTURES**

Shall comply with standards in § 10-3-2 of this title and, in addition, the following regulations apply:

**10-8-4.A:** Detached accessory structures shall not be taller than the height of the principal building on the property or twenty-two feet (22') (measured from grade to the building height as defined in chapter 1 of this title), whichever is greater.

**10-8-4.B:** Detached accessory structures over two hundred (200) square feet (201+) in footprint area shall comply with required front, side, and rear setbacks that apply to principal buildings and require a building permit.

**10-8-4.C:** Detached accessory structures two hundred (200) square feet or under and twelve feet (12') or lower in height shall be built to no less than three feet (3') from any primary structure wall (unless a building permit is obtained from the City to locate closer to the house) and shall comply with required front, side, and rear setbacks that apply to principal buildings.

**10-8-4.D:** No portion of an accessory structure may be located closer to the front property line than any covered part of the house to which they are accessory.

**10-8-4.E:** As noted in subsection 10-1-7.D.3 of this title, there shall be no more than two (2) accessory structures, with the exception of a detached garage or carport where an attached garage or carport does not exist. Only one accessory structure may be a detached guesthouse or in-laws quarters.

### **10-8-5: PROPERTY AREA, WIDTH, DEPTH, FRONTAGE-SETBACK AND DENSITY REQUIREMENTS**

In order for a property to be eligible for development the following requirements shall be adhered to:

Zoning District	Min Lot Size Requirement per DU	Max Lot Size Requirement per DU	Min NET Density (DU/acre)	Max NET Density (DU/acre)	Min GROSS Density (DU/acre)	Max GROSS Density (DU/acre)	Assumed % in lots (for Gross Density Calculation) - this percentage is variable	Required property width (feet)	Required mean property depth (feet)
RS-22	17,600	32,000	1.36	1.98	1.01	1.43	72%	80	80
RS-18	14,400	22,000	1.98	2.42	1.42	1.74	72%	80	80
RS-15	12,000	18,000	2.42	2.90	1.74	2.09	72%	60	80
RS-12	9,600	15,000	2.90	3.63	2.03	2.50	70%	60	80
RS-8.5	6,800	12,000	3.63	5.12	2.51	3.53	69%	50	80
RS-7	5,600	10,000	4.36	6.22	2.92	4.17	67%	40	70
RS-6	4,800	9,000	4.84	7.26	3.24	4.86	67%	30	60
RS-4	3,200	7,000	6.22	10.89	4.17	7.30	67%	30	50

Footnote:

**1. Access:** All lots/parcels developed/"built out" or proposed to be developed/"built out" with structures thereon shall have, or be demonstrated to have, legal access to a public street, before the City may issue or approve construction of any structures on that lot/parcel (as iterated in the definition of "property" in § 10-1-2, "Definitions," and subsection 10-1-7.B.1 of this title). Lots/parcels developed in this zone do not have to have direct lot/parcel frontage on a public street however, only legal access to the same.

**10-8-5.A: Sizing Properties:** Properties formed via a property boundary adjustment shall be sized according to City zoning or Southwest District Health standards, whichever is more restrictive. Properties formed by platting that are not or will not be served by City sewer and/or City water supply shall meet the minimum size standards regulated by Southwest District Health Department.

**10-8-5.B: Minimum Property Structure and Parking Front Yard (Setback):** The minimum setback for any garage wall shall be twenty feet (20') from the primary frontage property line. The minimum setback from any residential structure living area wall shall be fifteen feet (15') from the primary frontage property line.

**10-8-5.C: Minimum Side and Rear Property Structure and Parking Setbacks:** Shall be five feet (5') wide/deep. Where a utility easement is recorded adjacent to a property line, the setback shall be no less than the width of the easement on the development site or five feet (5') whichever is greater.

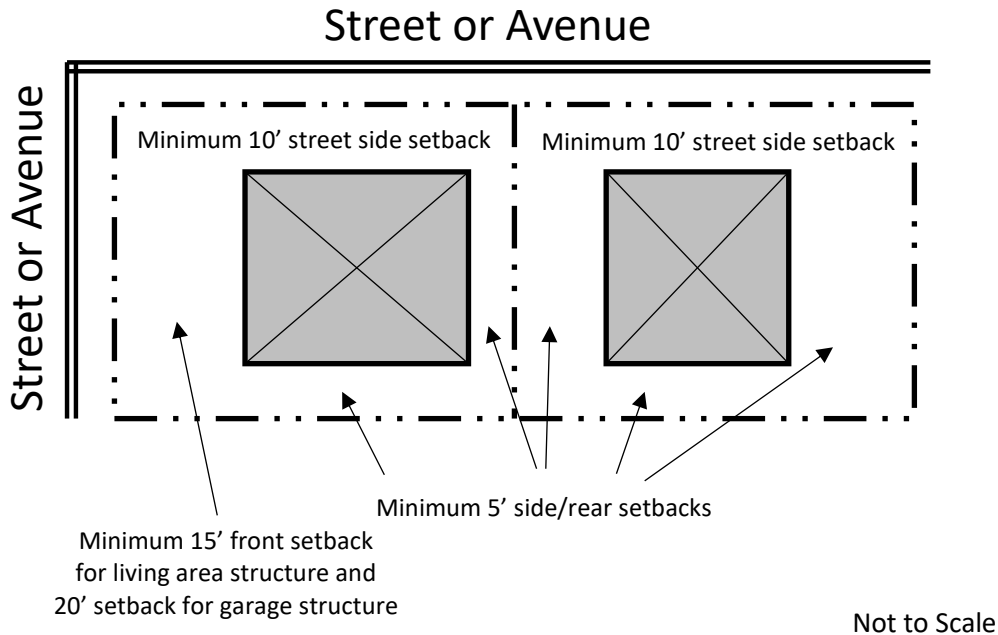
For a property abutting an alley the required rear yard setback shall be fifteen feet (15') from the centerline of that alley.

## 10-8-6: MAXIMUM PROPERTY COVERAGE

None specified for primary structures. For accessory structures refer to 10-1-7.D.3.

## 10-8-7: PLATTED CORNER LOTS

Platted corner lots shall observe the minimum front yard setback requirements on one street side. A ten foot (10') minimum setback shall be required on the second street side



Two-unit, zero lot line attached units or two (2) detached single-family dwellings or two (2) detached prefabricated homes may be permitted on platted corner lots when the following criteria are met:

**10-8-7.A: Location:** On lots platted prior to 1947, and left in original configuration, that are at least fifty feet (50') wide by one hundred forty feet (140') deep.

**10-8-7.B: Special Requirements:** Requirement number 3 shall have no effect on corner lots containing two (2) existing single-family homes prior to June 16, 1975. Other listed requirements shall have no effect on corner lots containing two (2) existing single-family homes prior to April 16, 1979, provided no conditional use permit has been granted containing any of the requirements. In instances where a conditional use permit has been granted, conditions of the permit shall be adhered to.

**10-8-7.B.1:** Two (2) off street parking spaces shall be provided for each lot in accordance with requirements noted in § 10-8-11 of this chapter.

**10-8-7.B.2:** Curb, gutter and sidewalk shall be provided in accordance with Nampa Engineering Policies and Construction Standards.

**10-8-7.B.3:** The smallest parcel shall have two (2) property lines at least sixty-five feet (65') in length.

**10-8-7.B.4:** Utility services shall be located in recorded easements on private property. Utility easements and utility lines placed within the same shall be arranged such that no building construction will occur over utility lines.

**10-8-7.B.5:** A Record of Survey and deeds for the lot split shall be recorded prior to the application of a building permit for the new home.

**10-8-7.B.6:** Construction shall comply with plans submitted, approved and on file with the Building Division.

**10-8-7.B.7:** The Building Official shall not issue a certificate of occupancy until the Engineering, Planning and Zoning and Building divisions are satisfied that all of the stated requirements have been complied with.

A certificate of occupancy may be issued upon receipt of a bond in the amount of one hundred fifty percent (150%) of the value of incomplete improvements as approved by the Director or his/her designee.

**10-8-7.B.8:** An application for a building permit shall include a plot plan showing existing conditions and proposed improvements at a scale of at least one inch equals twenty feet (1" = 20').

## **10-8-8: AREA OF INTERIOR "FLAG" PROPERTIES**

The area within the strip of ground (flagpole) connecting a building property with a street (and thereby providing "frontage" for the property) shall not be considered as part of the flag property's total area.

## **10-8-9: SIGNAGE, PARKING AND PARKING LOT LANDSCAPING PROPERTY LANDSCAPING, AND OPEN SPACE:**

At least two (2) paved, off street parking spaces shall be provided per residential dwelling unit (e.g., house) in the RS zone. Such spaces shall be located on the property whereupon lies the dwelling unit.

After the passage date hereof each new house or manufactured home shall have at time of construction, and shall maintain ever after, covered parking entailing, as a minimum, at least one of the off-street parking spaces sheltered within a single car garage, or, under a carport structure (which has an accessory storage structure attached thereto) that, in either case, does not lie within a required setback.

Conversion of all or part of space within a garage that existed prior to the passage date hereof may be allowed provided that at least one covered and/or enclosed parking space is created elsewhere on the same property within a new garage or under a new carport placed in conformance with setback requirements. Further, legal access to a public right of way or approved common drive shall be required for any new garage or carport provided.

Other uses shall conform to the signage, parking, parking lot landscaping, property landscaping, and open space requirements in chapters 22, 23, 27 and 33 of this title.